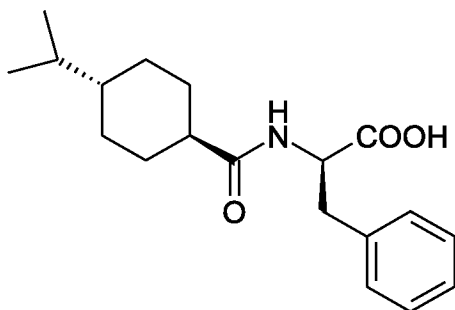


## CLAIM AMENDMENTS

1. (Currently amended) A process for the preparation of crystalline modification "G" of N-(trans--4-isopropylcyclohexyl carbonyl)-D-phenylalanine (nateglinide) of the formula (I)

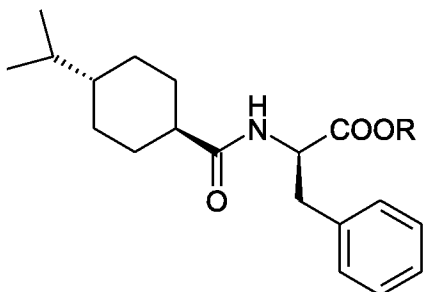


(I)

which comprises the steps of:

(a) ~~[[by]]~~ treating a compound of the ~~general~~ formula

(II)



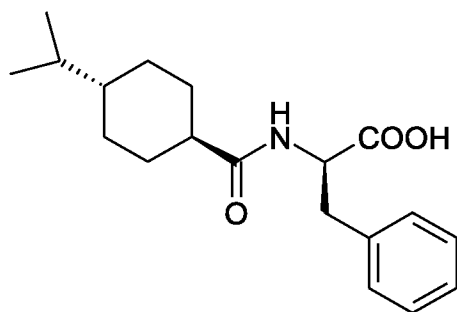
10 (II)

11 wherein R is a lower (C1-C4) alkyl group or hydrogen, with a base  
12 at 20 to 25° C to yield an alkali salt, and

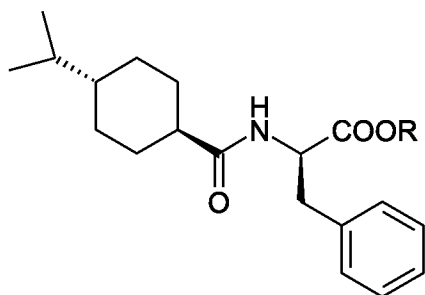
13 (b) liberating the product of the Formula (I) from the  
14 acid salt with an acid, characterized in that the acidic liberation  
15 of the product is carried out by acidifying the alkali salt in a  
16 temperature range below room temperature, preferably in the  
17 temperature range of 0 °C to 20 °C of 10 to 15°C with a first  
18 portion of acid to form a suspension, which is then stirred at 13  
19 to 18°C for 30 minutes, filtered to form a filter cake, washing the  
20 filter cake with a methanol/water mixture and then water,  
21 dissolving the filter cake in methanol at 25 to 30° C to form a  
22 solution, cooling the solution to 15°C, and again acidifying the  
23 solution so that after acidifying the solution again, the pH of the  
24 solution is 2 to 3, stirring the solution and adding water at a  
25 temperature of 5°C to the solution to obtain a precipitate, and  
26 drying the precipitate at 30 to 35°C to obtain the desired product.

1 2. (Currently amended) A process according to claim 1,  
2 wherein according to step (a) a water-miscible organic solvent,  
3 preferably aqueous methanol, more preferably methanol containing  
4 20-50 % water by volume is employed as solvent.

1                    3. (Original) A process for the preparation of  
2 crystalline modification "H" of N-(trans-4-  
3 isopropylcyclohexylcarbonyl)-D-phenylalanine (nateglinide) of the  
4 formula (I)



5  
  
6 (I)  
7 by treating a compound of the general formula (II)



## (II)

wherein R is a lower (C1-C4) alkyl group or hydrogen, with a base to yield an alkali salt, and liberating the product from the salt with an acid, characterized in that the acidic liberation of the product is carried out above room temperature, preferably in the temperature range of 65 °C to 70 °C.

4. (Original) A process according to claim 3, wherein a water-miscible organic solvent, preferably aqueous methanol, more preferably methanol containing 20-50 % water by volume is employed.

5. (Original) Crystals of nateglinide in the "G" form, having

(a) a melting point of 100 to 109 °C;

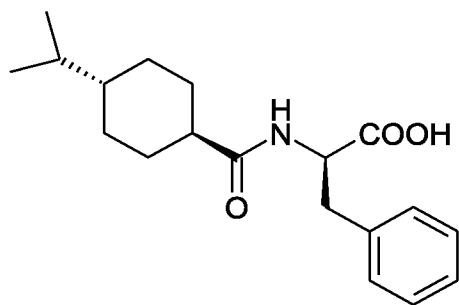
(b) an infra-red spectrum with intensive bands at 1763, 1735, 1614, 1533, 1180, 750, 574 and 491 cm<sup>-1</sup>; and

©) a Raman spectrum with intensive bands at 1762, 1710, 1182 and 822 cm<sup>-1</sup>.

1           6. (Original) A process for the preparation of  
2 nateglinide in the crystalline modification "H", characterized in  
3 that another crystalline modification of the compound having a  
4 lower melting point or a mixture of such modifications is boiled in  
5 an alkane, preferably in n-hexane or n-heptane for a short time to  
6 provide the product in the stable "H" crystalline form.

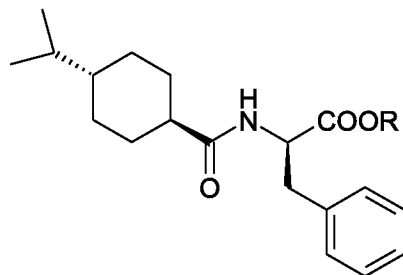
1           7. (Original) A process according to claim 6,  
2 characterized in that nateglinide in the crystalline modification  
3 "G" is employed as starting material.

1           8. (Original) A process for the preparation of chirally  
2 pure N-(trans-4-isopropylcyclohexyl-carbonyl)-D-phenylalanine  
3 (nateglinide) of the formula (I)



(I)

by treating a compound of the general formula (II)

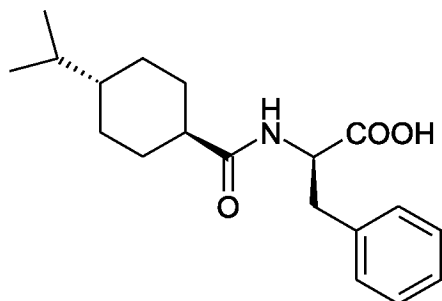


(II)

wherein R is a lower (C1-C4) alkyl group or hydrogen, with a base to yield an alkali salt, and liberating the product from the salt with a mineral acid, characterized in that the acidic liberation of the product is accomplished by adding the acid in two portions in such a way that the first time less than equimolar amount of the acid is added to yield a mixture of nateglinide and an alkali salt thereof, the mixture is isolated and a further amount of mineral acid is added to the mixture.

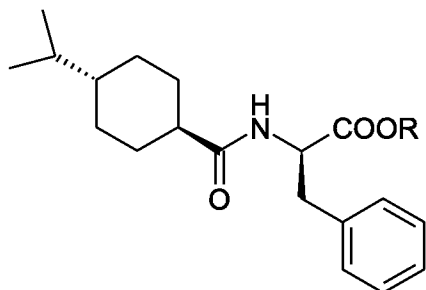
1           9. (Original) A process according to claim 8, wherein a  
2 water-miscible organic solvent, preferably aqueous methanol, more  
3 preferably methanol containing 20-50 % water by volume is employed.

4           10. (currently amended) A process according to claim 8  
5 for the preparation of crystalline modifications of chirally pure  
6 N-(trans-4-isopropylcyclohexylcarbonyl-D-phenylalanine  
7 (nateglinide) of the formula (I)



8  
  
9 (I)

10 by treating a compound of the general formula (II)



12 (II)

13 wherein R is a lower (C1-C4) alkyl group or hydrogen, with a base  
14 to yield an alkali salt and liberating the product from the salt  
15 with a mineral acid, ~~characterized in that~~ wherein the acidic  
16 liberation of the product is accomplished by adding the acid in two  
17 portions in such a way that the first time less than equimolar  
18 amount of the acid is added to yield a mixture of nateglinide and  
19 an alkali salt thereof, the mixture is isolated and further amount  
20 of mineral acid is added to the mixture.

21 11. (Currently amended) A process according to ~~claims~~  
22 ~~1, 3 or 8, characterized in that~~ claim 1 for liberation of  
23 nateglinide from the alkali salt thereof according to step (b),  
24 wherein as the first portion of the acid an amount considering the  
25 excess base plus 0.4-0.6 equivalent of the compound of the ~~general~~  
26 formula (II) is employed.